

DRAWING AMENDMENTS

Attached hereto is a replacement sheet with changes to FIG. 1. In FIG. 1, the reference number referring to "INTERNET" has been changed from 106 to 105. Support for this change can be found in the specification on page 9, line 19.

Attachments: Replacement Sheet

REMARKS

Claims 1-30 are pending in the application. Claims 1, 13, and 25 are independent. No claims have been amended, canceled, added, or withdrawn. The Specification and Drawings have been amended. These changes are believed to introduce no new matter and their entry is respectfully requested.

Rejection of Claims 1-4, 8-9, 11, 13-17, 20-21, 23, and 25-28 Under 35 U.S.C. §102(b)

In paragraph 3 of the Office Action, the Examiner rejected claims 1-4, 8-9, 11, 13-17, 20-21, 23, and 25-28 under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 5,751,967 to Raab et al. ("Raab"). A claim is anticipated only if each and every element of the claim is found, either expressly or inherently, in a reference. (MPEP §2131 *citing Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628 (Fed. Cir. 1987)). The identical invention must be shown in as complete detail as is contained in the claim. *Id. citing Richardson v. Suzuki Motor Co.*, 868 F.2d 1226,1236 (Fed. Cir. 1989)). Applicant respectfully traverses the rejection.

In the Office Action, the Examiner asserts that Raab teaches a policy management tool, a method, and an article of manufacture as claimed in the present application. Applicant respectfully disagrees.

Raab Is Not Properly Applied to Claims 1 and 13

As a first matter, Applicant respectfully submits that the Examiner has not properly applied Raab to claims 1 and 13. By way of review, claim 1 currently recites:

1. A policy management tool, comprising:
dynamic network information to model a physical configuration of a network and to detect a change in the physical configuration of the network; and
a policy manager to deploy at least one policy to a set of devices in the network in response to the detected change in physical configuration of the network.

In paragraph 3 of the Office Action, the Examiner asserts that Raab teaches:

"...a policy management tool of a system comprising:
dynamic network information; and
a policy manager coupled to the model to manage deployment of at least one policy to a set of devices in a network based on the dynamic network information."

The language the Examiner is asserting that Raab teaches is not recited in claim 1. For example, “a policy manager coupled to the model to manage deployment of at least one policy to a set of devices in a network based on the dynamic network information” is not recited in claim 1. Thus, even if the Examiner is correct in the assertion of what Raab teaches, that language is not recited in claim 1. Therefore, the Examiner has not properly applied Raab to claim 1. Similarly, Applicant respectfully submits that Examiner has not properly applied Raab to claim 13 by asserting that Raab teaches language that is not recited in claim 13.

Raab Does Not Teach the Identical Invention Contained in Claims 1, 13, and 25

As a second matter, even, assuming for the sake of argument, that Raab is properly applied to the claimed invention, Applicants respectfully submit that Raab does not teach the identical invention recited in claims 1, 13, or 25. For example, Raab does not teach “a policy manager to deploy at least one policy to a set of devices in the network in response to the detected change in physical configuration of the network,” as recited in claim 1. A “policy” is defined in the last paragraph of page 8 of Applicant’s specification, as originally filed, which states:

“...A policy is a combination of actions and conditions that specify what network devices do when the network devices encounter specific types of traffic. Conditions are the requirements traffic must meet before policy-enforcing network devices apply the policy’s action. Actions are the way network devices respond when traffic meets a policy’s conditions...”

Raab neither teaches nor suggests that policies are a combination of actions and conditions that specify what network devices do when the network devices encounter *specific types of traffic*. Instead, Raab defines policies at column 9, lines 6-8, where it is stated, “[p]olicies are broadly defined as rules which specify how end-stations within the switched network should be grouped into VLANs.” Column 9, lines 6-8. Thus the policies in Raab are merely concerned with how to group end-stations into virtual networks. The problem addressed in Raab is with specifying which end-stations should or should-not be coupled together to form a virtual network. Column 2, lines 56-57. Raab does not teach or suggest that policies contain actions and conditions that depend on the specific types of traffic. Thus, Raab does not teach a policy manager to deploy at least one *policy* to a set of devices in the network in response to the detected change in physical configuration of the network, as recited in claim 1.

Claims 13 and 25 recite in pertinent part, "...map[ping] a policy to a set of devices..." Raab does not teach mapping a policy to a set of devices because, as mentioned above, the policies in Raab are merely concerned with how to group end-stations into virtual networks. Raab neither teaches nor suggests that the policies are a combination of actions and conditions that specify what network devices do when the network devices encounter *specific types of traffic*.

Applicants respectfully submit that because the Examiner has not properly applied Raab to claims 1 or 13 and because the Examiner has not demonstrated that Raab teaches the identical invention as recited in claims 1, 13, or 25 that the Examiner has failed to show how Raab anticipates claims 1, 13, or 25. Claims 2-4, 8-9, 11, 13-17, 20-21, 23, and 25-28 properly depend from claims 1, 13, or 25 and as such Raab fails to anticipate them as well. Accordingly, Applicant respectfully requests that the Examiner reconsider and remove the rejections to claims 1-4, 8-9, 11, 13-17, 20-21, 23, and 25-28.

Rejection of Claims 5-6, 10, 18-19, 22, and 29-30 Under 35 U.S.C. §103(a)

In paragraph 5 of the Office Action, the Examiner rejected claims 5-6, 10, 18-19, 22, and 29-30 under 35 U.S.C. §103(a) as being unpatentable over Raab in view of U.S. Patent No. 6,351,771 to Craddock et al. ("Craddock"). Applicant respectfully traverses the rejection.

MPEP §2143.03 states that if any independent claim is non-obvious under 35 U.S.C. §103, then any claim depending therefrom is nonobvious. Applicant respectfully submits that claims 5-6, 10, 18-19, 22, and 29-30 properly depend from patentable claims 1, 13, or 25, and are therefore patentable for at least the reasons stated above.

Rejection of Claims 7, 12, and 24 Under 35 U.S.C. §103(a)

In paragraph 6 of the Office Action, the Examiner rejected claims 7, 12, and 24 under 35 U.S.C. §103(a) as being unpatentable over Raab in view of U.S. Patent No. 6,266,781 to Chung et al. ("Chung"). Applicant respectfully traverses the rejection.

Applicant respectfully submits that claims 7, 12, and 24 properly depend from patentable claims 1, 13, or 25, and are therefore patentable for at least the reasons stated above.

CONCLUSION

Applicant submits that all grounds for rejection have been properly traversed, accommodated, or rendered moot and that the application is now in condition for allowance. The Examiner is invited to telephone the undersigned representative if the Examiner believes that an interview might be useful for any reason.

Respectfully submitted,

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Date: 8/25/2005

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on August 25, 2005
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